



DT05 Rev'd PCT/PTO 28 AUG 2002
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Application Division
Michel REVEL et al) ATTN: PCT
Serial No.: 09/980,823) Washington, D.C.
IA Filing Date:) Date: August 28, 2002
For: IL6RIL6 CHIMERA FOR THE TREATMENT OF NEURODEGENERATIVE DISEASE

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LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated January 29, 2002.

- [XX] Attached hereto are 3 executed oaths or declarations in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, priority information, and PCT information.
- [] Applicant claims small entity status. See CR 1.27.
- [] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. '1.821-1.825, Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [] An Information Disclosure Statement with 1449 and references is also attached.
- [] A Preliminary Amendment
- [] An exact English language translation of the PCT application as originally filed.
- [] Other documents: _____
- [] Surcharge for late filing of English translation \$ 130.00
- [XX] Surcharge for late filing of the Declaration was paid on December 6, 2001.
- [] Surcharge for late filing of the Declaration in the amount of:
- | | |
|--------------|-------------------------|
| Small Entity | Other than Small Entity |
| [] \$65.00 | [] \$130.00 |
- [XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | | |
|-----------------------------|-----------------------------|
| Small Entity | Other Than Small Entity |
| Response Filed Within | Response Filed Within |
| [] First - \$ 55.00 | [] First - \$ 110.00 |
| [] Second - \$ 200.00 | [] Second - \$ 400.00 |
| [] Third - \$ 460.00 | [] Third - \$ 920.00 |
| [] Fourth - \$ 720.00 | [] Fourth - \$1,440.00 |
| [] Fifth - \$ 980.00 | [XX] Fifth - \$1,960.00 |
| Month After Time Period Set | Month After Time Period Set |
- [XX] Conditional Petition for Extension of Time:
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$1,960.00 is enclosed to cover the above fees.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

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BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

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Registration No. 25,618

RLB:sfg

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Benoit SCHMITT

Appl. No. 10/149,068 (International Application
No.: PCT/EP001/12286)

Filing Date: June 7, 2002

International Filing Date: December 6, 2000

For: Stable Pharmaceutical Preparations
Comprising a Benzimidazole and Process for
Their Production

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0273-0012

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Attention: Manager, Application Branch

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in
the United States Designated/Elected Office (DO/EO/US) dated August 20, 2002,
Applicants submit the following documents:

- (1) Original Declaration/Power of Attorney;
- (2) Copy of the Notification of Missing Requirements under 35 U.S.C. 371 in
the United States Designated/Elected Office (DO/EO/US); and
- (3) Required fee of \$130.00 for the surcharge for the late filing of the
Declaration.

Please associate the enclosed Declaration/Power of Attorney with the above-
identified application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0622. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

SHANKS & HERBERT

By: _____

Chris Aniedobe
Reg. No. 48,293

Date: 08/28/02

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